

APPENDIX

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
January 24, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Engrossed and Enrolled Bills, to which was referred:

S. B. No. 1, A bill to be entitled "An Act making voter registration lists for the voting year of 1966 the controlling lists for run-off elections held during February, 1967; and declaring an emergency."

has carefully compared same and finds it correctly enrolled.

HARDEMAN, Chairman.

Sent to Governor

January 24, 1967

S. C. R. No. 5

NINTH DAY

(Wednesday, January 25, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Hall

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Hall was granted leave of absence for today on account of important business on motion of Senator Word.

Senate Concurrent Resolution 7

Senator Brooks offered the following resolution:

S. C. R. No. 7, Commending Wayne Stroud of Pasadena on heroism during fire in his home.

Whereas, The heroism of a 14-year-old boy, Wayne Stroud, who braved fire and smoke to save the lives of his sister, Holly, and a one-year-old cousin, Theresa, is acclaimed by all the citizens of Pasadena where the event took place; and

Whereas, Young Wayne, the son of Mr. and Mrs. R. W. Stroud, and his five sisters and brothers and two other children were in the house when fire broke out; and

Whereas, Noticing that all the children left the house but his sister, Holly, and the baby, Theresa Wilks, he groped his way through a hall filled with smoke to a back bedroom where they were; and

Whereas, He found the two girls and led them through flames and smoke to safety, without regard to his own danger; and

Whereas, It is appropriate that this young hero receive the recognition he so justly deserves; now, therefore, be it

Resolved by the Senate of the 60th Legislature, the House of Representatives concurring, That this resolution stand in tribute to the heroism of Wayne Stroud, son of Mr. and Mrs. R. W. Stroud, of Pasadena, Texas; and be it further

Resolved, That copies of this Resolution be prepared for the young Texan being honored at this time and for his proud parents in token of the appreciation of the Texas Legislature for his act of great courage.

The resolution was read.

On motion of Senator Brooks and

by unanimous consent the resolution was considered immediately and was adopted.

Message From the House

Hall of the House of Representatives,
Austin, Texas,
January 25, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 14, Inviting the Honorable Dean Rusk to address a Joint Session of the 60th Legislature in the House of Representatives at 12 noon on January 26, 1967.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 45

Senator Bates offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Honorable Andres J. Escoruela of Barcelona, Spain; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and be granted the privileges of the floor.

The resolution was read and was adopted.

Senator Bates, by unanimous consent presented The Honorable Andres J. Escoruela of Barcelona, Spain, who was accompanied by Mr. Robert Cloud of Longview.

The distinguished guests were given a standing ovation by the Senate.

Senate Resolution 46

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate, Mr. and Mrs. James F. Sattler and Mrs. Walter Foster, all of Big Rapids, Michigan; and

Whereas, Mr. and Mrs. Sattler and Mrs. Foster are the parents and

grandparent of Mrs. Julie Yarbrough; and

Whereas, Mrs. Julie Yarbrough is married to the Honorable Donald B. Yarbrough, a distinguished Texas attorney and General Counsel to the Texas Water Development Board; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate, and granted privileges of the floor for the day.

The resolution was read and was adopted.

Senator Parkhouse, by unanimous consent, presented the guests to the Senate.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas
January 25, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance to which was referred H. B. No. 1, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senators Hightower, Hazlewood, Grover and Wade:

S. B. No. 89, A bill to be entitled "An Act amending the Code of Criminal Procedure of Texas (Acts 1965, 59th Legislature, Regular Session, Chapter 722, Sec. 1, P. 317) as follows: by adding thereto a new article to be known as Article 14.07, authorizing peace officers to detain persons for investigation when they have probable cause to believe such person is committing or has committed a crime, providing such period of detention shall not be recorded as an arrest; by amending paragraph 1 of Sec. 15, Art. 42.12 thereof to provide

that the Board of Pardons and Parole may release on parole persons who have served one-third ($\frac{1}{3}$) of the maximum sentence, or twenty (20) calendar years, and providing that time served shall be the total calendar time served; by amending Art. 18.16 thereof to provide for authorizing a magistrate to allow a search warrant to be served without notice of the officer's authority and purpose if the judge believes because of proof on oath that the property sought may be destroyed or the life of the officer imperiled if notice is given; by amending Art. 39.02 thereof to provide that the court may allow the depositions of both state and defendant witnesses; by amending Art. 39.14 thereof to provide for discovery of evidence of both the defendant and the state; by amending Art. 2.12 thereof, defining who are Peace Officers, by adding deputy constables, officers commissioned by the Public Safety Commission and the Director of the Department of Public Safety, and investigators of the district attorneys', criminal district attorneys' and county attorneys' offices; by amending Article 14.01 thereof, relating to the right of a peace officer or other person to arrest, to provide authority for peace officers to arrest without warrant for any offense committed in his presence or within his view; by amending Art. 14.03 thereof to provide authority to any peace officer to arrest without warrant persons found in suspicious places and under circumstances which reasonably show that such persons have been guilty of some felony or breach of the peace, or threatened, or are about to commit some offense against the laws; by amending Art. 15.22 thereof to change the definition as to when a person is arrested; by amending Art. 14.06 thereof, to provide that persons arrested must be taken without unnecessary delay before magistrates in counties where arrested; by amending Art. 15.16 thereof to provide that the officer or person executing a warrant of arrest shall without unnecessary delay take persons arrested before magistrates in counties where arrested; by amending Art. 15.17 thereof, to provide that magistrates must warn arrested persons brought before them of their constitutional rights, including the right to have an attorney present during any interview with peace officers or attorneys representing the

State, of his right to terminate the interview at any time; by amending Art. 15.26 thereof to provide that officers may arrest under a warrant if they have knowledge of the warrant's existence even though they do not have the warrant in their possession; by amending Sec. 1 of Art. 18.30, to provide that all unclaimed or abandoned property, except whiskey, wine and beer, seized by the Sheriff of any county in the State, which is not held as evidence to be used in any pending case and has not been ordered destroyed or returned to the person entitled to possession of the same by a magistrate and which remains unclaimed for a period of thirty days shall be delivered to the purchasing agent of the county for sale, and if the county has no purchasing agent then such property shall be sold by the Sheriff of the county; by amending Art. 38.21 thereof to provide that confessions may be admitted in evidence in criminal cases in Texas under the same conditions as govern their admissibility under the Constitution of the United States as interpreted by the United States Supreme Court; to provide that no evidence, including statements and other evidence, shall be inadmissible because of delay in taking the arrested person before a magistrate if such person had affirmatively waived his constitutional rights and provided such evidence is procured during a six-hour period, exclusive of interruptions, following arrest; by amending Art. 38.22 thereof to provide that the court must enter an order on the voluntariness of a confession; by amending Art. 37.07 thereof to provide that the judge shall sentence the defendant on all jury findings of guilty in misdemeanor and felony cases less than capital, and in capital cases where the State does not seek the death penalty, and in all cases where the defendant has waived his right to a trial by jury; providing for the jury to pass sentence in capital cases where the State seeks the death penalty; providing for pre-sentence investigation of the defendant and report to the court; defining prior criminal record, by amending Sec. 1 of Art. 36.01 thereof, to delete the reference to the hearing provided by Art. 37.07; by amending Art. 36.09 thereof to provide that two or more persons charged with the same offense or any offense growing out

of the same transaction may be, in the discretion of the court, tried jointly or separately as to one or more defendants; provided that in any event either defendant may testify for the other or on behalf of the State; and provided further, that in cases in which, upon timely motion to sever, and evidence introduced thereon, it is made known to the court that there is a previous admissible conviction against one defendant or that a joint trial would be prejudicial to any defendant, the court shall order a severance as to the defendant whose joint trial would prejudice the other defendant or defendants; by amending Art. 39.03 thereof to provide that the deputies of district and county clerks may take depositions; by amending Sec. 3 of Art. 42.13 thereof to provide that a defendant applying for misdemeanor probation must submit a copy of his fingerprints showing the offense for which he is being tried through the Sheriff's office of the county in which he is being tried to the Texas Department of Public Safety; providing that he attach to his application for probation a certificate from the Texas Department of Public Safety which contains any criminal record of the applicant on record with the department or, if no record exists, then a certificate from the Texas Department of Public Safety showing the absence of any previous criminal record; providing that the Texas Department of Public Safety shall become the depository of all fingerprint records of persons granted probation under this article and keep a record of all misdemeanor arrests within the purview of this section and the disposition of such cases; by amending Sec. 7, Art. 42.13 thereof to provide that when the period and terms of a probation have been satisfactorily completed and the defendant is discharged from probation the Clerk of the Court shall forward to the Texas Department of Public Safety a certified copy of the court's order dismissing the complaint or information which shall bear the Department of Public Safety file number on the defendant as shown on the Department's certificate; by adding thereto a new Article to be known as Article 14.08, authorizing peace officers to require witnesses to identify themselves, or upon failure to do so, such persons may be required by a magistrate to furnish bond or be

committed to jail; providing for the repeal of Article 26.14 thereof; providing for the repeal of Art. 82, Penal Code of Texas, 1925; repealing all laws in conflict; providing a severability clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Cole and Watson:

S. B. No. 90, A bill to be entitled "An Act relating to the rehabilitation of the handicapped by creating a Texas Commission of Rehabilitation and prescribing its powers, duties, functions, and procedures; and prescribing certain powers, duties, functions, and procedures for the Texas State Commission for the Blind; repealing Section 3, Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Section 3, Article 2675-1, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Education.

By Senators Parkhouse, Wade and Mauzy:

S. B. No. 91, A bill to be entitled "An Act relating to the compensation of district judges assigned to sit for judges of the Court of Domestic Relations, the Court of Domestic Relations No. 2, and the Juvenile Court of Dallas County; amending Section 21, Chapter 511, Acts of the 55th Legislature, Regular Session, 1957, as amended (Article 2338-9, Vernon's Texas Civil Statutes), and Chapter 13, Acts of the 56th Legislature, 3rd Called Session, 1959 (Article 2338-9a, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Parkhouse:

S. B. No. 92, A bill to be entitled "An Act providing for the recordation of certain claims of water rights and imposing limitations on the exercise of such claims; providing for the adjudication and administration of water rights; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Harrington:

S. B. No. 93, A bill to be entitled "An Act amending Section 13, Chapter 29, Acts of the 34th Legisla-

ture, Regular Session, 1915, as amended (Article 1970-122, Vernon's Texas Civil Statutes), so as to allow the Commissioners Court of Jefferson County to set the salary of the judge of the County Court of Jefferson County at Law at not more than \$19,800; providing for severability; repealing all laws in conflict and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Brooks, Jordan, Cole, Grover, Christie, Schwartz and Harde-man:

S. B. No. 94, A bill to be entitled "An Act to prohibit governmental bodies from holding meetings which are closed to the public; defining the term "governmental body"; making certain exceptions; providing for relief by mandamus or injunction to prevent closed meetings; making unlawful certain acts pertaining to closed meetings and prescribing a penalty therefor; providing for severability; repealing all laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senators Kennard and Wilson:

S. B. No. 95, A bill to be entitled "An Act providing for the preservation and enhancement of scenic beauty of lands bordering certain public highways; and declaring an emergency."

To the Committee on State Affairs.

By Senator Harrington:

S. B. No. 96, A bill to be entitled "An Act to amend the subject matter of the Texas Unemployment Compensation Act, as amended, and as embraced in Section 3, providing benefits; Section 7, providing for contributions, as amended (S. B. No. 5, Ch. 482, General and Special Laws of the 44th Leg., 3rd CS., 1936, as amended); providing for the repeal of all laws and parts of law in conflict and for preserving rights accrued hereunder; providing for the separability of provisions; providing an effective date for this Act; and declaring an emergency."

To the Committee on State Affairs.

By Senator Bates:

S. B. No. 97, A bill to be entitled "An Act amending Chapter 304, Acts of the Regular Session of the Fiftieth Legislature, as amended, so as to provide for the authorization, issuance

and sale of bonds pursuant to Article III, Section 52 of the Constitution of Texas to provide funds to call, redeem and pay off outstanding bonds so as to eliminate the tolls, pledges of revenues, and covenants pertaining to the outstanding bonds, and the bridge facilities and make such bridge facilities available for free use by the public; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Wilson:

S. B. No. 98, A bill to be entitled "An Act amending Senate Bill No. 178, Chapter 466, Acts of the 52nd Legislature, Regular Session, 1951, relating to the negligently setting on fire, or causing to be set on fire any woods, forest, cut over, brush, range, or grassland belonging to another, or the setting on fire of any woods, forest, cut over, brush, range, or grassland belonging to himself and allowing such fire to spread to the property of another; renumbering Section 3 as Section 2 and renumbering Section 2 as Section 3, providing penalties for violations of the Act and providing for enforcement procedure, notice and promise to appear in court in relation to such violations, providing that any officer violating any of the provisions of such enforcement procedure shall be guilty of misconduct in office and subject to removal therefrom; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Blanchard:

S. B. No. 99, A bill to be entitled "An Act relating to the investment of surplus assets in, and the refund to members of contributions to Firemen's Relief and Retirement Funds; amending Section 23A, Section 23B, Section 10A(f), and Section 10A(g), Chapter 125, Acts of the 45th Legislature, Regular Session, 1937, as amended, and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 100, A bill to be entitled "An Act providing for the voluntary inspection and registration of kindergartens by the Central Education Agency; requiring kindergartens to file an annual enrollment report; and declaring an emergency."

To the Committee on Education.

By Senators Patman, Watson, Moore, Connally, Grover, Christie, Hazlewood, Wilson, Word, Ratliff, Reagan, Brooks, Jordan, Bernal, Cole, Schwartz, Creighton and Harrington:

S. B. No. 101, A bill to be entitled "An Act creating and establishing the Texas Veterinary Medical Diagnostic Laboratory as a State Agency under the jurisdiction and supervision of the Board of Directors of Texas A&M University, such Agency not to be any part or unit of any institution or system of higher education of the state; providing for the staffing of the Agency by said Board of Directors; providing for the construction and equipping of a veterinary medical diagnostic laboratory building and related animal building on state land in Brazos County made available to the State Building Commission by said Board of Directors; and declaring an emergency."

To the Committee on Agriculture and Livestock.

By Senators Moore, Parkhouse, Brooks and Patman:

S. J. R. No. 5, Proposing an amendment to Article I of the Constitution of Texas by adding thereto a new Section to be known as Section 3a, providing that equality under the law shall not be denied or abridged because of sex; providing that the amendment is self-operative; and providing for the calling of an election and the publication and issuance of the proclamation therefor.

To the Committee on Constitutional Amendments.

House Concurrent Resolution 14 on Second Reading

The President laid before the Senate on its second reading:

H. C. R. No. 14, Inviting the Honorable Dean Rusk to address a Joint Session of the 60th Legislature in the House of Representatives at 12 noon on January 26, 1967.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted.

House Bill and Resolution on First Reading

The following bill and resolution

received from the House, were read the first time and referred to the Committees indicated:

H. C. R. No. 1, to Committee on Rules.

H. B. No. 87, to Committee on Finance.

House Concurrent Resolution 13 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 13, In memory of John W. Runyon.

The resolution was read.

By unanimous consent the resolution was considered immediately and was adopted by a rising vote of the Senate.

Executive Session

On motion of Senator Blanchard and by unanimous consent the Senate agreed to hold an Executive Session at 11:30 o'clock a.m. today (he having given Notice on yesterday).

Accordingly, the President directed all those not entitled to attend the Executive Session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the Executive Session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be Associate Justice of the Court of Civil Appeals for the Fourth Supreme Judicial District, to fill the unexpired term of Judge Charles Barrow, resigned; Fred V. Klingeman of Karnes City, Karnes County.

To be Judge of the 175th Criminal District Court, to fill the unexpired term of Judge John F. Onion, Jr., resigned; Anees A. Semaan of San Antonio, Bexar County.

To be District Judge of the 41st Judicial District, to fill the unexpired term of Judge David Mulcahy, resigned; Charles R. Schulte of El Paso, El Paso County.

To be District Attorney for the 47th Judicial District, to fill the unexpired term of Dee Miller, resigned: Billy Gene Compton of Amarillo, Potter County.

To be District Attorney for the 42nd Judicial District, to fill the unexpired term of Bradley C. Miles, resigned: Edward R. Paynter of Abilene, Taylor County.

To be District Attorney for the First Judicial District, to fill the unexpired term of Grady O. Trimble, resigned: Bill A. Martin of Newton, Newton County.

To be Associate Justice of the Court of Civil Appeals for the Third Supreme Judicial District, to fill the unexpired term of Judge John Phillips, resigned: Trueman O'Quinn of Austin, Travis County.

To be a member of the Board of Regents, Texas Woman's University, for a six year term to expire January 10, 1971: E. Gary Morrison of Austin, Travis County.

To be a member of the Texas Water Development Board, for a six year term to expire December 30, 1971: W. E. Tinsley of Austin, Travis County.

To be District Judge of the 126th Judicial District, to fill the unexpired term of Judge Jack Roberts, resigned: James R. Meyers of Austin, Travis County.

To be Secretary of State, to fill the unexpired term of Crawford Martin, resigned, term to expire January 15, 1967: John L. Hill of Houston, Harris County.

To be Secretary of State: John L. Hill of Houston, Harris County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:00 o'clock m.

Co-Author of Senate Bill 94

On motion of Senator Brooks, and by unanimous consent, Senator Grover will be shown as Co-author of Senate Bill No. 94.

Co-Author of Senate Bill 101

On motion of Senator Patman, and by unanimous consent, Senator Harrington will be shown as Co-author of Senate Bill No. 101.

Welcome and Congratulatory Resolutions

S. R. No. 47—By Senator Aikin: Extending welcome to J. W. McEwien and grandson Bobby Crook.

S. R. No. 48—By Senator Harrington: Extending congratulations to Bridge City High School on winning Football 9-AAA State Championship.

S. R. No. 49—By Senator Harrington: Extending congratulations to Thomas Jefferson High School of Port Arthur for winning football championship.

S. R. No. 50—By Senator Herring: Extending welcome to students and teacher of Walnut Creek School of Travis County.

S. R. No. 51—By Senators Brooks and Jordan: Extending welcome to the Honorable Bob Eckhardt, Member of Congress from Eighth District of Texas.

Adjournment

On motion of Senator Aikin the Senate at 12:02 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

January 25, 1967

S. B. No. 1

In Memory of Lon T. Messer

Senator Reagan offered the following resolution:

(Senate Resolution 42)

Whereas, On August 6, 1966, the City of Robstown and the State of Texas lost an esteemed citizen and a devoted public servant in the passing of the Honorable Lon T. Messer; and

Whereas, Lon T. Messer was born in Bell County on July 15, 1889, the son of Mr. and Mrs. D. B. Messer, spent his early years in Bell County, and became a resident of Nueces County in 1909, where he lived in the City of Robstown until his death; and

Whereas, He was elected to the House of Representatives of the State of Texas in 1944, and served with distinction as a Member of this Body for two years as a Representative of Nueces, Duval and Jim Wells Counties, winning recognition as a capable lawmaker and a distinguished gentleman and friend; and

Whereas, He attended every session of the Texas Legislature from 1917 until his death in 1966, and became renowned for a custom, which he initiated, to serve bacon and strawberry breakfasts on intermittent occasions to Members of the House and the Senate; and

Whereas, Lon T. Messer became a widely known spokesman in Austin for many varied interests of South Texas, dedicating his later life in furtherance of projects which he deemed beneficial to the people of his area, including such projects as tax remissions for the Bayfront Improvement Program in Corpus Christi, floodway levee construction in Corpus Christi and in the Rio Grande Valley, the preservation of the Corpus Christi Bayfront from commercial exploitation, and the conservation and storage of the water resources of South Texas; and

Whereas, Lon T. Messer commanded the highest esteem of his fellow citizens and the Members of the Legislature with whom he served, being straightforward in all matters and possessing a high sense of duty and justice, becoming an elder statesman in Austin well known by his king-sized, broad-brimmed hats which were his trademark; and

Whereas, He is survived by his wife, Ida Mae; a brother, John Thomas Messer of Corpus Christi; three sisters, Mrs. T. E. Gresham of Corpus Christi, Mrs. Lennie Brown of Brawley, California, and Mrs. Ruby Callicotte of Sabine, Texas; and one grandson; and

Whereas, The Senate of the State of Texas wishes to pay tribute to this outstanding legislator and civic leader; now, therefore, be it

Resolved, by the Senate of the Sixtieth Texas Legislature, That it adjourn this day in memory of Lon T. Messer and that a page in the Senate Journal be set aside in respect to the outstanding service which he gave to the people of Texas; and be it further

Resolved, That copies of this Resolution be sent to his wife as an expression of our sympathy and deep regard on the passing of this great Texan.

REAGAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hardeman, and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Warren R. (Gabe) Garrett

Senator Reagan offered the following resolution:

(Senate Resolution 43)

Whereas, On October 27, 1966, the City of Corpus Christi and the State of Texas lost an esteemed citizen and a devoted public servant in the passing of the Honorable Warren R. (Gabe) Garrett; and

Whereas, Gabe Garrett was born in Newburn, Tennessee, in 1888, lived part of his youthful years in the State of Oklahoma, but returned to the State of Tennessee for the remainder of his childhood; and

Whereas, He was a student of theology for two years but in his early manhood turned to the acting profession, joined a western road show on tour of the nation, and appeared in some of the earliest western motion pictures produced in California; and

Whereas, Gabe Garrett served with honor in the Army of the United States during World War 1, spending six months in Germany with the Army of Occupation and being discharged from military service in 1919; and

Whereas, He moved to Corpus Christi in 1930, and entered the printing and publishing business, later founding a weekly newspaper known as the Voice-Chronicle, which he successfully published until his death in 1966; and

Whereas, Gabe Garrett was elected a Member of the House of Representatives in 1950 and re-elected to a second term in 1952, serving with distinction in this Body as a Representative of Nueces, Duval and Jim Wells Counties, being known for his friendly disposition, his devotion to the people of Texas, and his willingness to labor long and hard for those projects which he believed to be beneficial for Texas; and

Whereas, He was the author and sponsor of a legislative project known as the "Garrett Plan," for the construction of a dam across the Nueces River to provide a fresh water reservoir for Corpus Christi prior to the construction of Wesley Seale Dam, which plan created considerable controversy and was never undertaken; and

Whereas, Gabe Garrett commanded the highest esteem of his fellow citizens and the greatest respect from his colleagues in this Body for his high sense of duty and his devotion to the people of Texas; and

Whereas, He is survived by his wife, Flora; one daughter, Mrs. Richard L. Price of Atlantic City, New Jersey; and one sister, Mrs. R. J. Walker of Martin, Tennessee; and

Whereas, The Senate of the State of Texas wishes to pay tribute to Gabe Garrett for his lifetime of service to our State; now, therefore, be it

Resolved, by the Senate of the Sixtieth Legislature, That we adjourn this day in memory of Warren R. (Gabe) Garrett, and that a page in the Senate Journal be set aside in respect to him; and be it further

Resolved, That a copy of this Resolution be sent to his wife as an expression of our sympathy for his passing and our great regard for this outstanding Texan.

REAGAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of M. D. Bryant

Senator Hardeman offered the following resolution:

(Senate Resolution 44)

Whereas, A distinguished citizen of Texas, Honorable M. D. Bryant, departed this life, following an extended illness, in San Angelo, Texas, on January 24; and

Whereas, Mr. Bryant, born August 25, 1895, at Longstreet, Louisiana, came to the Permian Basin Area of Texas in 1924, following the discovery of oil therein, and made his home in San Angelo, then the center of oil development in West Texas. He participated in the development of the Yates Field in Pecos County, the East Texas Field and in the Illinois Basin, as well as in other oil-producing areas. Mr. Bryant was engaged in extensive ranching operations with holdings in the Highland Hereford Area of the Big Bend Country and in Tom Green County; and

Whereas, Mr. Bryant served as City Commissioner, followed by a term as Mayor of San Angelo, during which time and, subsequently, until ill-health compelled his retirement, he became familiarly known throughout the State and in Washington as the "Water Boy of West Texas" by reason of his dedicated efforts to secure an adequate water supply in the area and, primarily, for San Angelo. Mayor Bryant was a past president of the Texas Independent Oil Producers and Royalty Owners Association (TIPRO), and served as a member of the National Petroleum Council. He was an active Democrat and served on the State Resolutions and Platform Committee of the Democratic Party in 1962 and was a guest at the Presidential Inauguration in January, 1965; and

Whereas, Following his entry into the ranching business in the early 1930's, soil and water conservation became a major interest for him. He built numerous dams on his properties to hold run-off waters and did experimental work in mesquite control and cedar eradication. Mr. Bryant was the recipient of several conservation awards and was the second Texan ever to receive the National Conservation Service Award which was presented to him in 1962 by Secretary of the Interior Stewart Udall. Mr. Bryant also served as a member of the President's Advisory Committee on Conservation of Natural Resources and in 1963 was one of a ten-man delegation representing the U. S. State Department making a trip to the Soviet Union to observe conservation and irrigation practices; and

Whereas, During the active conduct of his business, this distinguished Texan never lost sight of his civic responsibilities. He served as Director of the Gonzales Warm Springs Foundation in 1953, as General Chairman of the 1960 Tuberculosis Seal Campaign and as Chairman of a fund drive in 1957 to build an All-Faith Chapel at McKnight State Tuberculosis Hospital. At the time of his passing, he was a Director of the West Texas Utilities Company; and

Whereas, Mr. Bryant was a veteran of World War I and was married to Miss Ethel Christian in Louisiana on September 23, 1919. His only son, Douglas Bryant, lost his life in a World War II airplane crash. Mr. Bryant is survived by his wife; two daughters, namely, Mrs. James Ridge of San Angelo and Mrs. Bill Shurley of Marfa, Texas; two brothers, Mr. E. N. Bryant of Iraan, Texas, and Mr. C. S. Bryant of Big Lake, Texas; six sisters, Mrs. J. D. Malone of Logansport, Louisiana, Mrs. T. J. Key of Natchitoches, Louisiana, Mrs. J. N. Pharis of Mansfield, Louisiana, Mrs. Paul Darnell of Kilgore, Texas, Mrs. Alva Martin of Shreveport, Louisiana, and Mrs. Eugene Duckett of Fort Worth. He is also survived by seven grandchildren who were a source of great enjoyment to him; and

Whereas, It is the desire of the Senate of Texas to express its sympathy to the widow and surviving members of his family and to recognize the outstanding achievements of Mr. Bryant for his civic and charitable contributions and his devotion to the best interests of his community, his State and his Country; now, therefore, be it

Resolved, by the Senate of Texas, That it does hereby express its sympathy to the surviving members of the family of Honorable M. D. Bryant and, by this Resolution, recognize his many contributions to the welfare of our State and Country and that copies of this Resolution, under the Seal of the Senate, be forwarded to the members of his immediate family by the Secretary of the Senate and that when the Senate adjourns today it do so in memory of Mr. M. D. Bryant.

HARDEMAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Brooks and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.